

ing report was submitted at this time:

Senator Jones submitted the following report:

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 68, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Recess

On motion of Senator Harris, the Senate, at 3:15 o'clock p.m., took recess until 10:30 o'clock a.m. tomorrow.

THIRD DAY

(Continued)

(Tuesday, February 28, 1950)

AFTER RECESS

The Senate met at 10:30 o'clock a.m. and was called to order by Senator Hudson.

Leaves of Absence Granted

Senator Hardeman was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Bullock was granted leave of absence for today on account of illness on motion of Senator Strauss.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 33, Providing for the enlargement of Road District No. 15 of Jackson County, Texas.

H. B. No. 79, Regulating fishing on Lake Kickapoo in Archer County, Texas.

H. B. No. 84, Authorizing and permitting the Board of Regents of the State Teachers Colleges of Texas and the board of trustees of independent school districts to enter into contracts for teacher training.

S. B. No. 31, In regard to the San Jacinto State Park.

The House has concurred in Senate amendments to H. B. No. 30, by a vote of 120 yeas and 2 nays.

S. B. No. 20, A bill to be entitled "An Act making an appropriation for the Adjutant General's Department, State of Texas, for the Fiscal Year ending August 31, 1949, and declaring an emergency."

S. B. No. 43, Establishing a juvenile board in certain counties to be composed of the County Judge and District Judges.

H. B. No. 48, A bill to be entitled "An Act amending S. B. No. 207, Acts of the 49th Legislature, Regular Session, 1945, as amended by H. B. No. 992, Acts of the Regular Session, 1949, so as to further clarify the original meaning and intent of said Act, etc., and declaring an emergency."

H. B. No. 22, A bill to be entitled "An Act to amend Article 5248, Revised Civil Statutes of Texas, relative to the exemption of lands and improvements owned by the United States of America from taxation so as to provide that all personal property located on said lands owned by private parties and all parts of said lands and improvements used and occupied by private parties shall be subject to taxation; and declaring an emergency."

H. B. No. 73, Re-allocating and re-appropriating funds from the biennial appropriation for the Texas Library and Historical Commission, an amount sufficient to provide for the operation of the Extension Division of the State Library.

H. B. No. 64, Governing the taking of fish and minnows from the public fresh waters of Wise County.

H. B. No. 78, Applying to the County of Hays, State of Texas, prohibiting the transportation of minnows taken in said county beyond the borders of said county for the purpose of sale.

S. B. No. 27, Applying to flood control in certain counties.

H. B. No. 49, A bill to be entitled "An Act to amend Article 3959 of the Texas Fire Escape Law, Title 63, and declaring an emergency."

H. B. No. 66, Relating to Ft. Bend County Independent School District.

H. B. 82, Relating to vegetable plant inspection fees.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Bill Ordered Not Printed

On motion of Senator Moffett, it was ordered that S. B. No. 34 be not printed.

Senate Resolution 60

Senator Nokes offered the following resolution:

Whereas, We are honored to have with us in the Senate today, Mrs. A. B. Griffith of Terrell, Texas, who is in the Capitol observing the Senate in operation; and

Whereas, Mrs. Griffith was a former corresponding secretary of the State Federated Women's Clubs, a member of the educational committee of the General Federated Women's Clubs, Kindergarten Division, a Board member of the Tri-State YWCA, and is an honorary life member of the Ebell Club, and a member of the Friday Morning Club in California; and

Whereas, Mrs. Griffith is widely known in Washington, D. C., club and social circles where she has introduced many notable figures to various groups; and

Whereas, Mrs. Griffith was chairman of the Dallas County Women's Suffrage Organization; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we acknowledge the presence of this outstanding public figure, and that we extend to Mrs. Griffith the privileges of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 61

Senator Colson offered the following resolution:

Whereas, The Honorable Nat Pat-

ton and the Honorable J. B. Sallas of Crockett, Houston County, Texas, are now in our Capital City; and

Whereas, Both of these gentlemen have served our State with credit and distinction; the Honorable Nat Patton as a member of the Texas House of Representatives and Senate and the United States Congress, and the Honorable J. B. Sallas as a member of the Texas Legislature; now, therefore, be it

Resolved, That they be extended the privileges of the floor of the Texas Senate for the day, and that a copy of this resolution be presented to them.

The resolution was read and was adopted.

House Bills on First Reading

The following bills received from the House today, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 64, To Committee on Game and Fish.

H. B. No. 73, To Committee on Finance.

H. B. No. 84, To Committee on Education.

H. B. No. 78, To Committee on Game and Fish.

H. B. No. 48, To Committee on Education.

H. B. No. 22, To Committee on Counties and County Boundaries.

H. B. No. 49, To Committee on State Affairs.

H. B. No. 82, To Committee on Agriculture.

H. B. No. 79, To Committee on Game and Fish.

H. B. No. 66, To Committee on Counties and County Boundaries.

Senate Bill 34 on Second Reading

Senator Moffett moved to suspend the constitutional rule requiring bills to be read on three several days and that S. B. No. 34 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 34, A bill to be entitled "An Act making an additional appropriation to the State Department of Agriculture for the biennium ending August 31, 1951, from the Special Pure Seed Fund and out of Seed Laboratory Fees; providing the purpose for which such funds shall be used and expended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 34 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Jones
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Carney	Martin
Colson	McDonald
Corbin	Moffett
Cousins	Moore
Harris	Morris
Hazlewood	Nokes
Hudson	Phillips

Proffer
Shofner
Strauss

Tynan
Vick

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 68 be not printed.

House Bill 68 on Second Reading

Senator Cousins moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 68 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 68, A bill to be entitled "An Act changing and redefining the boundaries of Trinity Bay Conservation District."

The bill was read second time and was passed to third reading.

House Bill 68 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

Reports of Standing Committee

Senator Jones, by unanimous consent, submitted the following reports:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 66, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 22, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

House Concurrent Resolution 14

On motion of Senator Bracewell,

and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 14, Providing for an investigation of the charges of long distance telephone calls.

The resolution was read and was adopted.

House Bill 35 on Second Reading

Senator Moore moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 35 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 35, A bill to be entitled "An Act regulating the use of seines and nets for the taking of fish in Bastrop County; prohibiting the sale of fish taken from the waters of said County weighing less than Ten (10) Pounds; providing a penalty for violation hereof; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 35 on Third Reading

The Presiding Officer then laid before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock Weinert
Hardeman

Senate Resolution 62

Senator Aikin offered the following resolution:

Whereas, Honorable Tom DeBerry, former distinguished member of this body, is a visitor in the Capitol today, and

Whereas, Senator DeBerry is always a welcome guest and we are happy to have him visit the Senate; now, therefore, be it

Resolved, By the Senate that Senator DeBerry be extended a cordial welcome and the privileges of the floor for today.

The resolution was read and was adopted.

Bill Ordered Not Printed

On motion of Senator Phillips, it was ordered that H. B. No. 66 be not printed.

House Bill 66 on Second Reading

Senator Phillips moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 66 be placed on its second reading and passage to third

reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock Weinert
Hardeman

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 66, A bill to be entitled "An Act amending H. B. No. 605, Acts, 1947, 50th Legislature, Regular Session, page 136, Chapter 8 (known as Article 2922 1 (3) Vernon's Texas Statutes), by the addition of a new section to be known as Section 5 so as to provide that when such rural high school districts and consolidated independent school districts to which this Act is applicable have been in existence for two (2) years or longer, and additional territory is then added to such districts by annexation, the provisions of this Act shall continue to apply to such districts although they may then contain territory originally comprising more than twelve (12) original school districts; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 66 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Ashley	Lock
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick

Nays—1

Martin

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

Bill Ordered Not Printed

On motion of Senator Kelly of Tarrant, it was ordered that H. B. No. 22 be not printed.

House Bill 22 on Second Reading

Senator Kelly of Tarrant moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 22 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 22, A bill to be entitled "An Act to amend Article 5248, Revised Civil Statutes of Texas, relative to the exemption of lands and improvements owned by the United States of America from taxation so as to provide that all personal property located on said lands owned by private parties and all parts of said lands and improvements used and occupied by private parties shall be subject to taxation; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 22 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lane
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick

Nays—1

Lock

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

Senate Concurrent Resolution 21

Senator Strauss offered the following resolution:

S. C. R. No. 21, Providing for adjournment sine die on Tuesday, February 28, 1950.

Be It Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the first called session of the Fifty-first Legislature stand adjourned sine die at 4:00 p.m. on Tuesday, February 28, 1950.

STRAUSS
McDONALD
KELLY of Tarrant
BELL
ASHLEY
PHILLIPS
CORBIN
HARRIS
JONES
HUDSON
TYNAN
CARNEY
BRACEWELL
SHOFNER
COUSINS
MOORE

The resolution was read and was adopted.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Senator Moffett submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 82, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.

Senator Proffer submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 84, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PROFFER, Chairman.

Senator Carney submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 73, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be not printed.

CARNEY, Chairman.

(Senator Moffett in the Chair.)

Motion to Re-refer House Bill 49

Senator Aikin asked unanimous consent that H. B. No. 49 be withdrawn from the Committee on Education and re-referred to the Committee on State Affairs.

The Presiding Officer announced that there was objection.

Senator Aikin then moved that H. B. No. 49 be withdrawn from the Committee on Education and re-referred to the Committee on State Affairs.

After further discussion, Senator Aikin withdrew the motion to re-refer.

Senate Resolution 64

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the American History Class of Burnet High School, accompanied by their teacher, Mr. Bone; and

Whereas, These students and guests are on an educational tour of the Capitol Building; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Report of Standing Committee

By unanimous consent, Senator Proffer submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 48, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PROFFER, Chairman.

Bill Ordered Not Printed

On motion of Senator Colson, it was ordered that H. B. No. 84 be not printed.

House Bill 84 on Second Reading

Senator Colson moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 84 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 84, A bill to be entitled "An Act authorizing and permitting the Board of Regents of the State Teachers Colleges of Texas to enter into contracts for teacher training."

The bill was read second time.

Senator Proffer offered the following amendment to the bill:

Amend H. B. No. 84, Section 1, paragraph 2, by adding after the words, "Board of Regents of the State Teacher Colleges of Texas," the following:

"or the governing body of any other state supported teacher training institution."

The amendment was adopted.

The bill was passed to third reading.

House Bill 84 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H. B. No. 56, by vote of 116 yeas, 0 nays.

S. C. R. No. 18, Relative to the appointment of a Joint Committee com-

posed of the Senate and House to make an investigation of the State's Parks System, etc. (With amendment.)

S. C. R. No. 19, Authorizing a study of the problem of a special education for mentally retarded children.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Report of Standing Committee

By unanimous consent, Senator Carney submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 78, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, but be not printed.

CARNEY, Chairman.

Senate Concurrent Resolution 18 With House Amendments

Senator McDonald called S. C. R. No. 18 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator McDonald moved that the Senate concur in the House amendments.

The motion prevailed.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 19, A bill to be entitled "An Act requiring separate facilities for white and Negro citizens in the system of State parks and the use thereof; authorizing the State Parks Board to take certain action in regard thereto; authorizing and prescribing

the procedure for the lease of certain parks or portions thereof and appropriating the proceeds thereof; authorizing the State Parks Board to make rules and regulations, and declaring an emergency." (With amendment.)

S. B. No. 24, Creating the State Board of Tuberculosis Nurses Examiners.

H. C. R. No. 33, Relative to Federal automotive excise taxes.

The House has concurred in Senate amendments to H. B. No. 84, by a viva voce vote.

S. B. No. 47, Game bill pertaining to certain counties. (With amendments.)

Respectfully submitted,

CLARENCE JONES,

Chief Clerk House of Representatives.

At Ease

On motion of Senator Aikin, the Senate at 11:30 o'clock a.m., agreed to stand at ease subject to the call of the Chair.

The President pro tempore called the Senate to order at 12:35 o'clock p.m.

Senate Resolution 65

Senator Kelly of Tarrant offered the following resolution:

Whereas, The necessity for the present Special Session of the 51st Legislature of Texas was occasioned in large part by the steadily declining tax revenues of the State of Texas from the petroleum industry; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the Texas Legislative Council, created by Senate Bill 316 of the 51st Regular Session of the Texas Legislature is hereby requested to make inquiry into the basic and underlying causes for the steadily declining tax revenues to the State of Texas from the petroleum industry and injury to the State's economy to determine the causes and to recommend remedies; be it further

Resolved, That the Governor of Texas be requested to appoint an Industry Advisory Committee in such number as may be determined by the Governor to furnish technical information and in an advisory capacity

only to said Texas Legislative Council, such Industry Advisory Committee to be composed of representative persons from each of the various segments of the petroleum industry to serve on a voluntary basis without expense of any kind to the State; be it further

Resolved, That the recommendations of the Industry Advisory Committee and of the Texas Legislative Council be presented to the Regular Session of the 52nd Legislature of Texas for their consideration.

KELLY of Tarrant
BRACEWELL

The resolution was read and was adopted.

Senate Bill 19 With House Amendments

Senator McDonald called S. B. No. 19 from the President's table for consideration of the House amendments to the bill.

The President pro tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Snator McDonald moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock Weinert
Hardeman

Bill Ordered Not Printed

On motion of Senator Hudson, it

was ordered that H. B. No. 82 be not printed.

Bills and Resolution Signed

The President pro tempore signed, in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolution:

S. B. No. 6, A bill to be entitled "An Act making an appropriation to the Board of Regents of the University of Texas for buildings and equipment at the M. D. Anderson Hospital for Cancer Research of the University of Texas, and declaring an emergency."

S. B. No. 10, A bill to be entitled "An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less heretofore incorporated or attempted to be incorporated under the General Laws of Texas; validating the boundary lines thereof; validating governmental proceedings; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation; and declaring an emergency."

S. B. No. 23, A bill to be entitled "An Act amending Section 3 of House Bill No. 11, Acts 51st Legislature, Regular Session, 1949, page 612, Chapter 327, by adding thereto Weatherford Junior College of Parker County, at Weatherford; and declaring an emergency."

S. B. No. 25, A bill to be entitled "An Act amending Article 2351 of the Revised Civil Statutes of Texas, 1925, by adding thereto a provision authorizing and empowering the Commissioners' Court of each county of this State, where said county has acquired a water supply from subterranean waters for county purposes, to sell, contract to sell and deliver to any public or municipal corporation or political subdivision of this State, for use or resale, any or all such water not needed for county purposes, etc., and declaring an emergency."

S. B. No. 28, A bill to be entitled "An Act authorizing independent school districts in counties of more than 18,975 and less than 19,025 inhabitants according to the last preceding Federal Census under certain conditions to issue time warrants for certain purposes; providing certain

powers and conditions relative to the issuance thereof, the levy of taxes in payment thereof, the interest and sinking fund, and other powers and conditions relative thereto; providing that no such warrants shall be issued or executed after the expiration of two (2) years from the effective date of this Act; and declaring an emergency."

S. C. R. No. 17, Providing for acceptance by the First Special Session of the 51st Legislature for the State of Texas of an oil portrait of the late Beauford H. Jester, to be hung in the State Capitol.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 49, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

RECESS

On motion of Senator Proffer, the Senate, at 12:40 o'clock p.m., took recess to 2:30 o'clock p.m. today.

AFTERNOON SESSION

The Senate met at 2:30 o'clock p.m. and was called to order by Senator Moffett.

House Bill 82 on Second Reading

Senator Hudson moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 82 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Colson
Ashley	Corbin
Bell	Cousins
Bracewell	Harris
Carney	Hazlewood

Hudson	Moore
Jones	Morris
Kelley of Hidalgo	Nokes
Kelly of Tarrant	Phillips
Lane	Proffer
Lock	Shofner
Martin	Strauss
McDonald	Tynan
Moffett	Vick

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 82, A bill to be entitled "An Act amending Section 10 of H. B. No. 35, Acts 51st Legislature, Regular Session, 1949, Chapter 581, page 1127, relating to vegetable plant certification procedure and to inspection fees for certain plants; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 82 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelly of Tarrant	Vick
Lane	

Absent

Kelley of Hidalgo

Absent—Excused

Bullock	Weinert
Hardeman	

Senate Bill 47 With House Amendments

Senator Hazlewood called S. B. No.

47 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Nokes
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner
Jones	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent—Excused

Bullock	Weinert
Hardeman	

Bill Ordered Not Printed

On motion of Senator Bell, it was ordered that H. B. No. 78 be not printed.

House Bill 78 on Second Reading

Senator Bell moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 78 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hudson
Ashley	Jones
Bell	Kelley of Hidalgo
Bracewell	Kelly of Tarrant
Carney	Lane
Colson	Lock
Corbin	Martin
Cousins	McDonald
Harris	Moffett
Hazlewood	Moore

Morris	Shofner
Nokes	Strauss
Phillips	Tynan
Proffer	Vick

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 78, A bill to be entitled "An Act applicable to the County of Hays, State of Texas, prohibiting the transportation of minnows taken in said county beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the borders of said county; providing penalties for any violation of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 78 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Nokes
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner
Jones	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent—Excused

Bullock	Weinert
Hardeman	

Message from the House

Hall of the House of Representatives,

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to

Inform the Senate that the House has passed the following:

H. C. R. No. 32, In memory of Judge James G. Howard.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk House of Representatives.

Bill Ordered Not Printed

On motion of Senator Lane, it was ordered that H. B. No. 73 be not printed.

House Bill 73 on Second Reading

Senator Lane moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 73 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Nokes
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner
Jones	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 73, A bill to be entitled "An Act to re-allocate and re-appropriate from the biennial appropriation for the Texas Library and Historical Commission, State Library, an amount sufficient to provide for the operation of the Extension Division of the State Library; and declaring and emergency."

The bill was read second time.

Senator Lane offered the following committee amendment to the bill:

(1)

Amend H. B. No. 73 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter 615, General and Special Laws, of the Fifty-first Legislature of Texas, Regular Session, 1949, is hereby amended so as to re-allocate and re-appropriate from Item 16 of the biennial appropriation of the Texas Library and Historical Commission, State Library, the following amount to provide for the operation of the Extension Division of the State Library: Five Thousand Eight Hundred Fifty (\$5,850.00) Dollars to be divided and paid as the salary of the Director of Extension, State Library; One Thousand Nine Hundred Fifty (\$1,950.00) Dollars for the remainder of the year ending August 31, 1950, to be paid in six equal installments of Three Hundred Twenty-five (\$325.00) Dollars per month; Three Thousand Nine Hundred (\$3,900.00) Dollars for the year ending August 31, 1951, to be paid in twelve equal installments of Three Hundred Twenty-five (\$325.00) Dollars per month.

"Section 2. The fact that the salary for this position was omitted from Chapter 615, Acts of the Regular Session of the Fifty-first Legislature of Texas, 1949, and that the omission of the position has prevented the State Library from carrying out the extension services to individuals and libraries throughout the State as required by statute creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended; and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The committee amendment was adopted.

Senator Lane offered the following committee amendment to the bill:

(2)

Amend H. B. No. 73 by striking out all above the enacting clause and substituting in lieu thereof the following:

"A BILL
TO BE ENTITLED
An Act to amend Chapter 615, Gen-

eral and Special Laws of the Fifty-first Legislature of Texas, Regular Session, 1949, by re-allocating and re-appropriating from Item 16 of the biennial appropriation for the Texas Library and Historical Commission, State Library, an amount sufficient to provide for the operation of the Extension Division of the State Library; and declaring an emergency."

The committee amendment was adopted.

The bill was passed to third reading.

House Bill 73 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Nokes
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner
Jones	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent—Excused

Bullock	Weinert
Hardeman	

Bill Ordered Not Printed

Senator Aikin asked unanimous consent that H. B. No. 49 be not printed.

The Presiding Officer announced that there was objection.

Senator Aikin then moved that H. B. No. 49 be not printed.

Yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—21

Aikin	Colson
Ashley	Corbin
Carney	Cousins

Hazlewood	Moffett
Jones	Moore
Kelley of Hidalgo	Nokes
Kelly of Tarrant	Phillips
Lane	Proffer
Lock	Shofner
Martin	Tynan
McDonald	

Nays—4

Bell	Harris
Bracewell	Strauss

Absent

Hudson	Vick
Morris	

Absent—Excused

Bullock	Weinert
Hardeman	

House Bill 49 on Second Reading

Senator Aikin moved to suspend the constitutional rule requiring bills to be read on three several days and that House Bill 49 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Lock
Ashley	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Nokes
Hazlewood	Phillips
Jones	Proffer
Kelley of Hidalgo	Shofner
Kelly of Tarrant	Tynan
Lane	

Nays—4

Bell	Harris
Bracewell	Strauss

Absent

Hudson	Vick
Morris	

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 49, A bill to be entitled "An Act to amend Article 3959 of the Texas Fire Escape Law, Title 63, and declaring an emergency."

The bill was read second time.

On motion of Senator Strauss, a full reading of the bill was ordered.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. 49 by striking out the words "National Board of Fire Underwriters" wherever the same appear in the bill and substituting therefor the words "State Board of Insurance Commissioners."

Senator Aikin moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—18

Aikin	Lane
Carney	Lock
Colson	Martin
Corbin	McDonald
Cousins	Moore
Hazlewood	Nokes
Hudson	Proffer
Jones	Shofner
Kelley of Hidalgo	Tynan

Nays—9

Ashley	Moffett
Bell	Phillips
Bracewell	Strauss
Harris	Vick
Kelley of Tarrant	

Absent

Morris

Absent—Excused

Bullock	Weinert
Hardeman	

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 49 by adding a new subsection to be known as Subsection (9) on page 5 and to read as follows:

"(9) Any type of fire escape approved by the National Board of Fire Underwriters and the Board of Insurance Commissioners of the State of Texas shall be considered as an approved type of fire escape for any

building in the State of Texas notwithstanding any other provision in this Act or the General Laws."

(Senator Hudson in the Chair.)

Motions to Recess

Senator Strauss moved that the Senate recess until 10:30 o'clock a.m. tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—4

Bell	Shofner
Harris	Strauss

Nays—23

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Nokes
Hazlewood	Phillips
Hudson	Proffer
Jones	Tynan
Kelley of Hidalgo	Vick
Kelley of Tarrant	

Absent

Morris

Absent—Excused

Bullock	Weinert
Hardeman	

Pending further debate by Senator Bell on the amendment, Senator Shofner moved that the Senate recess until 11:00 o'clock a.m. tomorrow.

The motion was lost by the following vote:

Yeas—3

Bell	Strauss
Shofner	

Nays—21

Aikin	Kelley of Tarrant
Ashley	Lane
Bracewell	Lock
Carney	Martin
Colson	McDonald
Corbin	Moffett
Hudson	Moore
Jones	Nokes
Kelley of Hidalgo	Phillips

Proffer
Tynan

Vick

Absent

Cousins
Harris

Hazlewood
Morris

Absent—Excused

Bullock
Hardeman

Weinert

Senator Aikin moved to table the amendment by Senator Bell.

The motion to table prevailed by the following vote:

Yeas—20

Aikin	Kelly of Tarrant
Ashley	Lane
Carney	Lock
Colson	Martin
Corbin	McDonald
Cousins	Moffett
Harris	Moore
Hudson	Nokes
Jones	Proffer
Kelley of Hidalgo	Tynan

Nays—6

Bell	Shofner
Bracewell	Strauss
Phillips	Vick

Absent

Hazlewood	Morris
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Absent—Excused

Bullock	Weinert
Hardeman	

The bill was passed to third reading.

House Bill 49 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Jones
Ashley	Kelley of Hidalgo
Carney	Kelly of Tarrant
Colson	Lane
Corbin	Lock
Cousins	Martin
Harris	McDonald
Hazlewood	Moffett
Hudson	Moore

Nokes	Shofner
Phillips	Tynan
Proffer	Vick

Nays—3

Bell	Strauss
Bracewell	

Absent

Morris

Absent—Excused

Bullock	Weinert
Hardeman	

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 34, Making an additional appropriation to the State Department of Agriculture.

S. B. No. 35, Making an emergency appropriation for the use of the Secretary of State for the purpose of publishing the Current Laws.

Feb. 28, 1950. The House has adopted the conference committee report on S. B. No. 5 by a vote of 116 ayes, 0 noes.

H. C. R. No. 34, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 30.

S. B. No. 30, A bill to be entitled "An Act to amend Subdivision 79 of Article 199, Title 8 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1925, 39th Leg., p. 182, ch. 45, Sec. 2, as amended Acts 1931, 42nd Leg., p. 876, ch. 370; Acts 1933, 43rd Leg., 1st C. S., p. 131, ch. 38, so as to change the time and terms of holding the terms of District Court in Jim Wells, Starr, Brooks and Duval Counties, constituting all of the counties in the 79th Judicial District of Texas; validating and continuing all process issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next term of Court in said Counties and District,

as herein fixed; to validate the summoning of grand and petit juries under this Act; providing all process issued and made returnable on or before Monday next after the expiration of twenty (20) days from the date of service thereof shall be valid and unaffected by this Act; providing that Courts in session at the time the Act takes effect shall continue in session until the beginning of the succeeding term; and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act amending House Bill No. 47, Acts of the Fifty-first Legislature, Regular Session, 1949, Chapter 305, as amended by House Bill No. 966, Acts of the Fifty-first Legislature, Regular Session, 1949, Chapter 343, by adding a new section thereto to be known as Section 5a, so as to provide for the appointment of a bailiff and probation officer by the District Judge of the 105th Judicial District for Nueces County in said District; providing for a salary to be paid to said officer; and declaring an emergency."

S. B. No. 37, Amend subdivision 107 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended, etc.; providing for certain County Court jurisdiction in Willacy County to be placed in the 107th District Court.

The House has concurred in Senate amendments to House Bill No. 73 by vote of 116 ayes, 0 noes.

H. B. No. 50, Providing for an open season on deer in Dimmit and Webb counties.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Report of Conference Committee on Senate Bill 5

Senator Martin submitted the following report:

Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Hon. Durwood Manford, Speaker of the House of Representatives.

Sirs: We, the members of your conference committee, appointed to adjust the differences between the Senate and House of Representatives on Senate Bill No. 5, have met and had

the same under consideration and recommend that said bill do pass in the form hereto attached.

Respectfully submitted,

MARTIN
PROFFER
MOFFETT
LANE

On the part of the Senate.

CRAIG
WILLIAMS of Scurry
McILHANY
SETERFITT

On the part of the House.

S. B. No. 5

"A BILL

To be Entitled

"An Act authorizing the Commissioner of the General Land Office to reinstate sales of land in Hutchinson County, Texas, forfeited after September 1, 1942, and prior to February 1, 1943, and where the lands have been occupied or used by the original purchaser for a period of twenty-seven years or more; and land in Hardeman County, Texas, forfeited prior to September 25, 1943, and after January 1, 1943, and where the lands have been improved by the present occupant or user to the extent of One Hundred (\$100) Dollars or more; providing for a savings clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. In cases where lands belonging to the Public Free School Funds located in Hutchinson County, Texas, stand forfeited on the records of the General Land Office, and where said forfeitures have been made by the Commissioner of the General Land Office after September 1, 1942, and prior to February 1, 1943, and where such lands have been used or occupied by the original purchaser of said lands from the State of Texas for a continuous period of twenty-seven years or more, the said forfeitures may be set aside and the original purchases reinstated by the said Commissioner upon the payment of all moneys due and owing on such land, including interest and principal; providing that such reinstatement shall not be effective as to any intervening rights of third parties.

Sec. 2. In cases where lands belonging to the Public Free School Fund located in Hardeman County

stand forfeited on the records of the General Land Office and said forfeitures having been made by the Commissioner of the General Land Office prior to September 25, 1943, and after January 1, 1943, and where the lands have been improved by the present occupant or user to the extent of One Hundred (\$100) Dollars or more, the said forfeitures may be set aside and the original purchases reinstated by the said Commissioner upon payment of all moneys due and owing on such land, including interest and principal; providing that such reinstatement shall not be effective as to any intervening rights of third parties.

Sec. 3. If any section, sub-section, clause, sentence, or provision of this Act, for any reason, be held to be invalid or unconstitutional, it shall not affect in any wise the remaining provisions of this Act not so held, and all that portion not so held invalid shall remain in full force and effect; it being the express intention of the Legislature to enact such Act without respect to such section, sub-section, clause, sentence, or provision, or a part thereof, so held to be invalid or unconstitutional.

Sec. 4. The fact that this legislation is of the utmost importance in the preservation of land titles in Hutchinson County and in Hardeman County creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended; and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	

Absent

Morris

Absent—Excused

Bullock
Hardeman

Weinert

House Concurrent Resolution 34

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 24, Instructing the Enrolling Clerk to make certain corrections in H. B. No. 30.

The resolution was read and was adopted.

Motion to Place House Bill 26 on Second Reading

Senator Nokes moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 26 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote of the members present):

Yeas—14

Aikin	Lane
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Harris	Moffett
Hudson	Nokes
Jones	Vick

Nays—11

Ashley	Phillips
Bell	Proffer
Carney	Shofner
Cousins	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	

Absent

Hazlewood
Moore

Morris

Absent—Excused

Bullock
Hardeman

Weinert

Bill Ordered Not Printed

On motion of Senator Bracewell, it

was ordered that H. B. No. 48 be not printed.

House Bill 48 on Second Reading

Senator Bracewell moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 48 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	

Absent

Morris

Absent—Excused

Bullock	Weinert
Hardeman	

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 48, A bill to be entitled "An Act amending Senate Bill No. 207, Acts of the 49th Legislature, Regular Session, 1945, as amended by House Bill 992, Acts of the Regular Session, 1949, so as to further clarify the original meaning and intent of said Act that any such Junior Colleges and/or Universities are public institutions whose properties are devoted exclusively to the use and benefit of the public; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 48 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Nokes
Cousins	Phillips
Harris	Proffer
Hazlewood	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	

Absent

Morris

Absent—Excused

Bullock	Weinert
Hardeman	

House Bill on First Reading

The following bill, received from the House today, was laid before the Senate, read and referred to the committee indicated:

H. B. No. 50, To the Committee on Game and Fish.

House Concurrent Resolution 12

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 12, Granting Mrs. Jeff West permission to sue the State.

The resolution was read and was adopted.

Bills and Resolutions Signed

The Presiding Officer announced the signing of, by the President pro tempore, in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. B. No. 58, A bill to be entitled "An Act transferring all funds appropriated to the State Auditor for the fiscal year ending August 31, 1951, and all the unexpended balance appropriated for the fiscal year ending August 31, 1950, out of the Foundation School Fund, by House

Bill No. 322, Acts 51st Legislature, Regular Session, 1949, page 1208, Chapter 615, for the purpose of paying salaries and other expenses necessary to carry out the provisions of Senate Bill No. 116, Acts 51st Legislature, Regular Session, 1949, from the State Auditor to the State Department of Education; etc.; and declaring an emergency."

H. B. No. 45, A bill to be entitled "An Act providing for the extension of boundaries of certain junior college districts; providing for elections for the levy and collection of taxes and the assumption of bonded indebtedness by such enlarged districts; providing for the issuance of bonds and the levy and collection of taxes; etc.; and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act ratifying, confirming and validating all resolutions and orders adopted by the Commissioners' Court of Jefferson County, Texas, and the election held thereunder in the Port District known as the Port of Beaumont Navigation District of Jefferson County, Texas, on the 21st day of June, 1949; etc.; and declaring an emergency."

H. B. No. 39, A bill to be entitled "An Act validating and confirming the creation of Matagorda County Water Control and Improvement District No. 1, composed of all territory situated in Matagorda County, Texas; declaring such district duly established with certain specified powers; regulating the manner of electing directors of said district; making certain provisions in regard to the operation of said district and the issuance of bonds by it; and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act amending House Bill No. 20, Acts Fifty-first Legislature, Regular Session, 1949, Chapter 47, page 82, by adding a new Section thereto to be known as Sec. 1a, authorizing the Attorney General to use a limited percentage of future collections to supplement available funds for defending the title of the State of Texas to its submerged lands, etc., and declaring an emergency."

H. B. No. 38, A bill to be entitled "An Act creating the County Court at Law of Lubbock County, Texas; transferring cases thereto and defin-

ing the jurisdiction of said Court; limiting amount from which appeals may be taken to the Court of Civil Appeals; prescribing the terms of said Court; prescribing the qualifications of the Judge thereof; providing for the duties of the County Attorney with reference to said Court and his fees for the performance thereof; providing for the appointment of a Judge of said Court and the quarters for holding Court therein; providing for the method of removal of the Judge of said Court from office; etc.; and declaring an emergency."

H. B. No. 24, A bill to be entitled "An Act providing that in certain counties a majority of the District Judges may appoint a bailiff in charge of the Central Jury Room and general panel and in such cases that the Sheriff shall not assign a deputy to the Central Jury Room; providing for such bailiff having authority to summon jurors and serve notices upon absent jurors; providing for the duties of such bailiff, his term of office and salary; providing for summoning of jurors in such manner as directed by the District Judges, for the service of such jurors in criminal as well as civil cases and that no additional service shall be required in criminal cases; and declaring an emergency."

H. B. No. 27, A bill to be entitled "An Act to provide for a closed season on wild deer and javelina (colored peccary) in Zapata County for a period of five (5) years; prescribing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 36, A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes of 1925, as amended by Acts of the 41st Legislature, Regular Session, 1929, Chapter 43, page 89, paragraph 1, as amended by Acts of the 51st Legislature, Regular Session, 1949, Chapter 467, page 868, relating to the selection of jurors for service in the district and county courts so as to provide that the provisions of this Act shall not apply to any county having a population of less than twenty thousand (20,000) inhabitants according to the last preceding Federal census when such county is a part of two or more Judicial Districts, etc., and declaring an emergency."

H. B. No. 23, A bill to be entitled

"An Act providing that the Commissioners' Court of Tarrant County may pay emergency flood relief claims out of the Flood Control Fund which was created under House Bill 940, Acts 51st Leg., R. S., 1949, ch. 537, p. 986; providing that before such claims may be paid the same must be sworn to by the claimant and approved by the County Auditor, and declaring an emergency."

H. B. No. 16, A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all school districts, validating the acts of county boards of school trustees, county judges, commissioners' courts, boards of trustees of such school districts, and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said districts; authorizing the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain districts involved now or previously involved in litigation, or to districts which may have been established and which later returned to original status; providing a savings clause, and declaring an emergency."

H. C. R. No. 9, Granting C. E. Stubblefield permission to sue the State of Texas.

H. C. R. No. 11, Granting Paul Pennell of Grayson County, Texas, permission to sue the State of Texas and the Texas Highway Department.

H. C. R. No. 15, Authorizing Charles C. Telford to sue the State of Texas.

H. C. R. No. 21, Granting Mrs. V. O. Matthews of Beaumont permission to sue the State.

H. C. R. No. 20, To grant permission to Mrs. E. C. Henderson to sue the State.

H. C. R. No. 26, Granting permission to the legal representative of A. F. Martin, deceased, to sue the State of Texas.

H. C. R. No. 27, Amending the Joint Rules of the House and Senate.

S. B. No. 47, A bill to be entitled "An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal

in Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall and Childress Counties, comprising the 31st Senatorial District of this State at any time; to take, kill, or trap any furbearing animal in said counties; etc.; and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act to amend subdivision 107 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by H. B. No. 574, ch. 300, Acts of Regular Session of the 49th Legislature, 1945, as amended by S. B. No. 405, ch. 351, Acts of the Regular Session of the 51st Legislature, 1949, by adding thereto another section to be known as Section 5a, providing for certain county court jurisdiction in Willacy County to be placed in the 107th District Court, including appeals in condemnation proceedings; removing such jurisdiction from the County Court of Willacy County; providing for the transfer of cases from said County Court to said District Court; etc.; and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act authorizing the Commissioner of the General Land Office to reinstate sales of land in Hutchinson County, Texas, forfeited after September 1, 1942, and prior to February 1, 1943, and where the lands have been occupied or used by the original purchaser for a period of twenty-seven years or more; and land in Hardeman County, Texas, forfeited prior to September 25, 1943, and after January 1, 1943, and where the lands have been improved by the present occupant or user to the extent of One Hundred (\$100) Dollars or more; providing for a savings clause; and declaring an emergency."

S. B. No. 19, A bill to be entitled "An Act requiring separate facilities for white and negro citizens in the system of State parks and the use thereof; authorizing the State Parks Board to take certain action in regard thereto; authorizing and prescribing the procedure for the lease of certain parks or portions thereof and appropriating the proceeds thereof; authorizing the State Parks Board to make rules and regulations, and declaring an emergency."

S. B. No. 24, A bill to be entitled "An Act creating the State Board of Tuberculosis Nurses Examiners; prescribing the term of office and duties of the members thereof; providing for the organization of the Board, providing for the execution of a bond; etc.; and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act amending House Bill No. 47, Acts of the Fifty-first Legislature, Regular Session, 1949, Chapter 305, as amended by House Bill No. 966, Acts of the Fifty-first Legislature, Regular Session, 1949, Chapter 343, by adding a new section thereto to be known as Section 5a, so as to provide for the appointment of a bailiff and probation officer by the District Judge of the 105th Judicial District for Nueces County in said District; providing for a salary to be paid to said officer; and declaring an emergency."

S. B. No. 34, A bill to be entitled "An Act making an additional appropriation to the State Department of Agriculture for the biennium ending August 31, 1951, from the Special Pure Seed Fund and out of Seed Laboratory Fees; providing the purpose for which such funds shall be used and expended; and declaring an emergency."

S. B. No. 30, A bill to be entitled "An Act to amend Subdivision 79 of Article 199, Title 8 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1925, 39th Leg., p. 182, ch. 45, Sec. 2, as amended Acts 1931, 42nd Leg., p. 876, ch. 370; Acts 1933, 43rd Leg., 1st C. S., p. 131, ch. 38, so as to change the time and terms of holding the terms of District Court in Jim Wells, Starr, Brooks and Duval Counties, constituting all of the counties in the 79th Judicial District of Texas; validating and continuing all process issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next term of Court in said Counties and District, as herein fixed; to validate the summoning of grand and petit juries under this Act; etc.; and declaring an emergency."

S. B. No. 43, A bill to be entitled "An Act to amend Title 82, Revised Civil Statutes of Texas, 1925, as amended by adding a new article to be known as Article 5139E, establish-

ing and constituting a juvenile board in certain counties to be composed of the County Judge and District Judges; designating a chairman and administrative officer therefor and providing an official name therefor; providing that such board shall be established and constituted in each county having therein two district courts wherein one of said judicial districts includes only one county and one of said judicial districts includes two counties, and in which such one-county judicial district there is located a city with a population of more than twenty-eight thousand (28,000) according to the last preceding federal census; providing compensation for members of juvenile board to be paid in equal monthly installments out of county general fund; providing that this Act shall be construed as cumulative with Article 5139, Revised Civil Statutes of Texas, 1925, as amended, and repealing all laws or parts of laws in conflict herewith; and providing a savings clause, and declaring an emergency."

S. B. No. 20, A bill to be entitled "An Act making an appropriation for the Adjutant General's Department, State of Texas, for the Fiscal Year ending August 31, 1949, and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act to enlarge Road District No. 15 of Jackson County, Texas, and specifically setting out its boundaries as enlarged; creating and establishing said District as enlarged for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; etc.; and declaring an emergency."

H. C. R. No. 29, Providing for a Commission of forty-five (45) members to be known as "The Texas National Capital Sesquicentennial Commission."

S. B. No. 35, A bill to be entitled "An Act making an emergency appropriation for the use of the Secretary of State for the purpose of publishing the Current Laws."

S. C. R. No. 19, Requesting certain State agencies to study and make recommendations to the 52nd Legislature relative to mentally retarded children.

S. C. R. No. 18, Providing for a

committee to make a study of State parks system relative to segregation.

S. B. No. 31, A bill to be entitled "An Act amending House Bill 322, Acts of the 51st Legislature, Regular Session, 1949, by increasing the purposes for which money appropriated to the San Jacinto State Park, Item 6, page 1298, of the General and Special Laws, 51st Legislature, 1949, of the appropriation for said park, can be expended and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act granting the consent of the

State of Texas to the acquisition by the United States of land in the State needed for programs and works of improvement in the interest of flood control; providing that this Act shall apply only to that portion of the Trinity Watershed lying within Cooke, Grayson, Fannin, Collin, Hunt, Rockwall, Kaufman, Van Zandt, Dallas and Tarrant Counties; and declaring an emergency."

Recess

On motion of Senator Harris, the Senate at 5:20 o'clock p.m., took recess until 11:00 o'clock a.m. tomorrow.

In Memory of
Mr. H. C. McGaughey

(Senate Resolution 63)

Senator Morris offered the following resolution:

Whereas, On the 3rd day of January, 1950, the Divine Creator of Man called to his Heavenly Reward Mr. H. C. McGaughey; and

Whereas, Mr. McGaughey's untimely passing ended a fruitful life of service to his community and to the City of Greenville and Hunt County; and

Whereas, Mr. McGaughey was born in Mississippi, coming to Texas at the age of eleven years, locating in the City of Greenville in 1894, where his life has been closely entwined with the growth of that city and the surrounding area; and

Whereas, This outstanding citizen lived an exemplary Christian life, serving loyally and actively as a member of the Board of Stewards of Kavanaugh Methodist Church, in which capacity he was an outstanding influence in the moral and spiritual growth of his church and his community; and

Whereas, Mr. McGaughey quietly but actively interested himself in the civic life of his city, playing an important role as a builder for more than a half century of its history; and

Whereas, He was a leader in the business world, being truly one who started at the bottom and, through his persistent efforts and fine personality, attained signal success in his chosen profession of pharmacy; and

Whereas, No man was ever more vitally interested in the welfare of his friends and fellow man, being at all times willing to counsel with and advise those who needed his help; and

Whereas, He was ardently devoted to his family, being a faithful husband and father; and

Whereas, It is the desire of the Senate of Texas to recognize and pay fitting tribute to the life of this useful and beloved Texan, Mr. H. C. McGaughey, and to express sympathy to his family; now, therefore, be it

Resolved, By the Senate of Texas, That the loss of this valuable citizen is a loss to the City of Greenville and to the entire State; and that a copy of this resolution be sent to the members of his family as a tribute to his life; and be it further

Resolved, That when the Senate adjourns today, it do so in respect to the memory of Mr. H. C. McGaughey.

The resolution was read and was adopted.